planar wall being separated by a distance to define a space and the first surface of the insert and the major planar wall defining an entrance to the space, the distance between the planar portion and the major planar wall being effective to cause capillary flow of a fluid sample at the entrance, into the space;

the second surface of the insert defining:

an input portion for receipt of the fluid sample, the input portion being in fluid communication with the entrance to the space, and

a reading portion for analyzing the fluid sample drawn into the space, the reading portion opposing the planar portion of the insert.

2. (Original) The assay device of claim 1, wherein the input portion defines at least one passage through the insert to the entrance.

3. (Original) The assay device of claim 2, further comprising a filter proximate the input portion.

4. (Original) The assay device of claim 3, wherein the filter is within the passage.

5. (Original) The assay device of claim 4, wherein the filter comprises a dynamic capillary filter.

6. (Original) The assay device of claim 5, wherein the dynamic capillary filter comprises a plurality of particles, the particles being transiently abutting when a fluid passes through the particles, the transiently abutting particles defining transient interstitial spaces therebetween.

7. (Original) The assay device of claim 6, wherein the particles are microspheres.

8. (Original) The assay device of claim 6, further comprising a porous membrane supporting the plurality of particles in the passage, the porous membrane having a pore size less than the size of the particles.

9. (Original) The assay device of claim 8, wherein:

the passage extends from the second surface of the insert to the first surface of the insert, the passage having an entrance at the second surface and an exit at the first surface; and

the porous membrane is connected to the second surface, covering the exit of the passage, to prevent passage of the particles out of the passage, through the exit.

10. (Original) The assay device of claim 9, wherein the exit of the passage is in the major planar portion.

11. (Original) The assay device of claim 9, wherein the passage is tapered inward from the exterior surface towards the interior surface.

12. (Original) The assay device of claim 1, wherein, when the insert is within the chamber, the space has a defined volume.

13. (Currently Amended) The assay device of claim 2, wherein the input portion comprises [a] at least one surface tapered towards the passage.

14. (Original) The assay device of claim 1, wherein the major planar wall is transparent.

15. (Original) The assay device of claim 1, wherein at least a portion of the insert including the planar portion of the first surface is transparent.

16. (Original) The assay device of claim 1, wherein the second surface of the insert has a portion opposed to the input portion and distanced a sufficient distance from the planar bottom wall so that less capillary force is generated between the portion and the bottom wall than the capillary force generated in the space.

17. (Original) The assay device of claim 2, wherein the input portion comprises an upstanding wall having at least a portion adjacent to the passage.

18. (Original) The assay device of claim 17, wherein the upstanding wall circumscribes the input portion.

19. (Original) The assay device of claim 1, further comprising a lid slidably coupled to the

planar base, for selectively covering the input portion.

20. (Original) The assay device of claim 1, wherein the insert and the base are transparent.

21. (Original) The assay device of claim 1, wherein the side wall is perpendicular to the base.

22. (Original) The assay device of claim 1, further comprising a reagent within the space.

23. (Original) The assay device of claim 1, wherein the insert is press-fit in the chamber.

24. (Original) The assay device of claim 1, further comprising a pair of opposing reflective surfaces, on opposite sides of the space.

25. (Original) The assay device of claim 24, wherein the first reflective surface is on the planar portion and the second reflective surface is on the planar bottom wall.

26. (Original) The assay device of claim 24, wherein one of the reflective surfaces defines an inlet for radiation into the space and the other reflective surface defines an outlet for radiation out of the space, the inlet and the outlet being positioned with respect to each other such that radiation entering the space through the inlet is reflected multiple times between the reflective surfaces prior to exiting the space.

27. (Original) The assay device of claim 1, further comprising a gel in the space.

28. (Original) The assay device of claim 27, further comprising reagents in the gel.

29. (Original) The assay device of claim 1, further comprising a dry matrix material in the space.

30. (Original) The assay device of claim 29, further comprising reagents in the dry matrix.

31. (Original) The assay device of claim 1, wherein the cavity is recessed in the base.

32. (Original) The assay device of claim 1, wherein the side wall extends from the base.

33. (Original) The assay device of claim 1, wherein the side wall comprises a plurality of

walls.

34. (Original) The assay device of claim 1, wherein the planar portion of the first surface of the insert comprises legs for supporting the insert in the cavity.

35. (Original) The assay device of claim 1, wherein the major planar wall comprises legs for supporting the insert in the cavity.

Cancel claims 36 to 98.

REMARKS

The applicant elects without traverse the invention of Group I, described in claims 1 to 35 drawn to an assay device. The remaining claims have been cancelled. Claim 13 has been amended to replace "a least" with "at least".

Favourable consideration and allowance of this application are respectfully requested.

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